

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference A5460-PC	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/DE2004/001503	International filing date (day/month/year) 09.07.2004	Priority date (day/month/year) 10.07.2003
International Patent Classification (IPC) or national classification and IPC D06F37/20, F16F7/08		
Applicant AWECO APPLIANCE SYSTEMS GMBH & CO. KG		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-20 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. 1-17 _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* _____ received by this Authority on _____
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets 1/3-3/3 _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-17</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-17</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-17</u>	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1 The present report refers to the following document: D1: DE 28 20 651 A (BAUKNECHT GMBH G) 15 November 1979			
2 INDEPENDENT CLAIM 1			
D1 is considered the prior art closest to the subject matter of claim 1. D1 discloses (the references in parentheses relate to said document): Friction damper, in particular for cylinder washing machines with a spin gear, with a housing (31) and a displaceable tappet (16) arranged in the housing (31) parallel to the longitudinal axis of the housing and extending out of the housing (31), the end of said tappet situated in the housing (31) having at least one window (19) and the window (19) having at least one receiving part (27) that can be moved longitudinally relative to the tappet (16) for receiving a friction lining (29) and at least one amplitude-dependent impact element (25) for braking the movement of the receiving part (27).			

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The subject matter of claim 1 differs therefore from the known friction damper in that the impact element is arranged between an inner surface of the window and an outer surface of the receiving part.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can therefore be considered that of producing a friction damper that consists of fewer parts and is thus simpler in design.

The solution to this problem proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons:

This solution is an alternative solution to the available prior art, which does not show such a simplified friction damper.

In D1, spiral springs are mounted inside the receiving part. The springs strike both the inside of the receiving part and a separate retaining tab with a guide pin.

Proceeding from D1, a person skilled in the art would not extend the receiving part so as to provide stops for the spiral springs on the outer surface of the receiving part. Furthermore, a design alteration such as this would also require other modifications to be carried out, such as a displacement of the retaining tabs.

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3. INDEPENDENT CLAIM 17

Claim 17 relates to a cylinder washing machine with a novel and inventive friction damper. The cylinder washing machine is therefore likewise novel and inventive (PCT Article 33(2) and (3)).

4. DEPENDENT CLAIMS 2-16

Claims 2-16 are dependent on claim 1 and therefore likewise meet the PCT novelty and inventive step requirements.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

With respect to the embodiment as per figures 3, 4 and 5, and the associated description: this embodiment appears to have a greater scope of protection than the first embodiment as per figures 1 and 2. The corresponding claims 12 and 13 therefore appear to contradict claim 1.